

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Atty. Dkt.: 4398-284

Date: September 15, 2003

03970 U.S. PTO
10/661570
09/15/03

Sir:

Attached for filing is the patent application of:

Inventor: Philip Rodney KWOK, William
Edwin John GRANT, and Robert Stephen
MATCHETT

Entitled: FOREHEAD SUPPORT FOR FACIAL MASK

and including attachments as noted below:

- ☐ Newly executed Declaration, ☒ Copy of Declaration from prior application, ☒ Abstract
☐ Please **delete** the following inventors in the continuation/division/continuation-in-part application:

Deleted persons:

- 14 pages of specification and claims (including 10 numbered claims), and
5 sheets of accompanying drawing/s.
☒ Record the attached assignment(4) to ResMed Limited, North Ryde, New South Wales, Australia and return to the undersigned.
☒ Attached is a Power of Attorney.
☐ Priority is hereby claimed under 35 U.S.C. § 119 based on the following foreign applications:

| Application Number | Country | Day/Month/Year Filed |
|--------------------|---------|----------------------|
|--------------------|---------|----------------------|

, respectively, the entire content of which is hereby incorporated by reference in this application..

- ☐ Certified copy(ies) of foreign application(s) is/are attached.
☐ Certified copy(ies) filed on _____ in prior appln. no. _____ filed _____
☐ This application claims the benefit of Provisional Application No. _____, filed _____, the entire content of which is hereby incorporated by reference in this application.
☒ This application is a ☒ continuation/☐ division/☐ continuation-in-part of Application No. 10/230,169, filed August 29, 2002, the entire content of which is hereby incorporated by reference in this application.
☐ Petition filed in prior application to extend its life to insure co-pendency.
☒ The prior application is assigned to ResMed Limited, North Ryde, Australia.
☒ It is hereby requested that the Examiner consider the art cited in the parent application by applicant and/or the Examiner for the reasons stated therein. A listing of that art is attached.
☐ Applicant claims "small entity" status. ☐ "Small entity" statement attached.
☒ Please enter the attached and/or below preliminary amendment **prior** to calculation of filing fee:

☒ Also attached: ☒ Information Disclosure Statement (2); ☐ Non-Publication Request; ☐ Nucleotide and/or Amino Acid Sequence Submission; ☐ Statement deleting Inventor(s) named in prior application; ☐ Other:

FILING FEE IS BASED ON CLAIMS AS FILED LESS ANY HERewith CANCELED

| | | | |
|--|---------------------------|------------|---------|
| Basic Filing Fee | | \$ | 750.00 |
| Total effective claims | 10 - 20 (at least 20) = 0 | x \$ 18.00 | \$ 0.00 |
| Independent claims | 3 - 3 (at least 3) = 0 | x \$ 84.00 | \$ 0.00 |
| If any proper multiple dependent claims now added for first time, add \$280.00 (ignore improper) | | | \$ 0.00 |
| | SUBTOTAL | \$ | 750.00 |
| If "small entity," then enter half (1/2) of subtotal and subtract | | -\$ | (0.00) |
| | SECOND SUBTOTAL | \$ | 750.00 |
| Assignment Recording Fee (\$160.00) | | \$ | 160.00 |
| | TOTAL FEE ENCLOSED | \$ | 910.00 |

Any future submission requiring an extension of time is hereby stated to include a petition for such time extension.

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our **Account No. 14-1140**.

A duplicate copy of this sheet is attached.

Correspondence Address:

Customer Number: 23117

Telephone: (703) 816-4000
Facsimile: (703) 816-4100
PTB:jck

NIXON & VANDERHYTE P.C.

By Atty: Paul T. Bowen, Reg. No. 38,009

Signature: _____

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

KWOK et al.

Atty. Ref.: 4398-23

Serial No. 10/230,169

Group: 3761

Filed: August 29, 2002

Examiner: D. Erez

For: FOREHEAD SUPPORT FOR FACIAL MASK

* * * * *

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

**EXCLUSIVE SUBSTITUTE POWER OF ATTORNEY
AND EXCLUSIVE PROSECUTION HEREAFTER BY
ASSIGNEE UNDER 37 C.F.R. §§ 1.36, 3.71 AND 3.73**

ResMed Limited, being the owner of all right, title and interest in the above-identified patent application, hereby revokes all previous powers of attorney in this case, if any, and hereby appoints the attorneys of **Customer Number 23117** individually and collectively its attorneys to prosecute this application and to transact all business in the Patent and Trademark Office in connection therewith, and with the resulting patent.

ResMed Limited also authorizes Nixon & Vanderhye to act and rely solely on instructions communicated from the person, attorney, firm or other organization sending instructions to Nixon & Vanderhye on behalf of the owner.


KWOK et al.
Serial No. 10/230,169

Certificate Under 37 C.F.R. §3.73(b)

ResMed Limited, a corporation having a place of business at 97 Waterloo Road, North Ryde, New South Wales 2113, Australia states that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of an assignment chain from the inventors to the aforesaid assignee, a copy of the assignment chain being attached and/or recorded at the United States Patent Office on August 29, 2002 at reel 013244, frames 0696, 0702 and 0705 and recorded on August 29, 2002 at reel 013243, frame 0993.

The undersigned (whose title is typed below) is empowered to sign this statement on behalf of ResMed Limited.

ResMed Limited

| | |
|-----------------------|---|
| <u>13 August 2003</u> | By: <u></u> |
| Date | Name: Paul A. Green |
| | Title: Patents Officer |